

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/501,984
Applicant : Andreas F. Schaub
Filed : July 21, 2004
TC/A.U. : 1609
Examiner : Hoffer, Susanna Marie

Docket No. : 2923-763
Customer No. : 6449
Confirmation No. : 3383

DECLARATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Mario Litschgi, declare as follows.

1. I have received the following academic degrees which are relevant to the subject matter of the present application: Professor Dr. med. of the University Basel, Switzerland, Specialist Degree in Obstetrics and Gynecology of the Foederatio Helveticorum Switzerland.

2. I am a specialist in obstetrics and the mechanics of labour working (that is, obstetrics, labor and delivery). I have 35 years of experience practicing in this field. I currently hold the positions of Emeritus Chief of the Women Health Department of the Cantonal Hospital Schaffhausen, Switzerland; General Secretary of the Swiss Society for Gynecology and Obstetrics; Delegate of the Board of the European

Association of Gynecology and Obstetrics; Vice President of the Swiss
Conference of Chief Physicians

3. I am familiar with the subject patent application, including the currently pending claims. I am also familiar with the Office Action mailed January 3, 2008. I understand that the filing date of the corresponding PCT patent application is January 21, 2003.

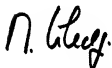
4. I understand that the application is directed to a method for reducing the frictional force between an infant and the birth canal of the mother in human vaginal child birthing. I understand that the application is also directed to the composition and formulation of the organic substance used to practice the method taught in the application.

5. In my opinion, the method disclosed in the application was not known in the art prior to January 21, 2003, the filing date of the PCT application. Specifically, the use of a lubricant for reducing the frictional force between an infant and the birth canal of the mother in human child birthing was not described in the prior art before the filing date. In addition, the prior art did not suggest the use of a lubricant to reduce this frictional force. Furthermore, I know of no one who practiced such a method in a clinical

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Declaration of M. Litschgi

setting. If others has ever successfully employed a lubricant for this use, I would have been aware of it because of my position in the field.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



04/21/2008

Prof. Dr. med. Mario Litschgi

Date